IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr. JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO. 2531 of 2005

Between:

1. Smt.Mudda Ankamma, W/o.China Venkateswarlu,

resident of Papamambapuram village, Kayyur post,

Venkatagiri Mandal, Nellore District

2. Anthati China Veeraiah, S/o.Adeyya,

resident of Papamambapuram village, Kayyur post,

Venkatagiri Mandal, Nellore District

3. Anthati Srinivasulu, S/o.Venkata Subbayya,

resident of Papamambapuram village, Kayyur post,

Venkatagiri Mandal, Nellore District

4. Anthati Ramanaiah, S/o.Narayya,

resident of Papamambapuram village, Kayyur post,

Venkatagiri Mandal, Nellore District

5. Nasina Venkata Ramanaya, S/o.Chennayya,

resident of Papamambapuram village, Kayyur post,

Venkatagiri Mandal, Nellore District

6. Koneti Eswaramma, W/o.Late Koneti Kondaiah,

resident of Papamambapuram village, Kayyur post,

Venkatagiri Mandal, Nellore District

7. Anthati Subramanyam, S/o.Venkata Subbayya,

resident of Papamambapuram village, Kayyur post,

Venkatagiri Mandal, Nellore District

..... PETITIONERS

AND

1. District Collector, Nellore, Nellore District

2. Revenue Divisional Officer, Gudur, Nellore District

3. Mandal Revenue Officer, Venkatagiri Mandal,

Venkatagiri, Nellore District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction particularly one in the nature of Writ of Mandamaus, declaring the impugned order of the 3rd respondent made in his Rc.B.560/04, dated 19.9.2004 so far as it relates to the lands under the occupation of the petitioners to an extent of Ac.1.50; 1.25 and 0.11; 2.00; 0.40; 1.50; 1.50; and 0.80 respectively situated in Sy.Nos.15P and 17/17 of Papamambapuram village, Venkatagiri Mandal, Nellore District, as illegal, arbitrary and contrary to law and consequently direct the respondents to assign the above said lands in favour of the petitioners and pass such other or further or further orders as are necessary.

Counsel for the Petitioner: MR.P.BALAKRISHNA REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR REVENUE

The Court made the following:

ORDER:

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Aggrieved by the order dated 19.09.2004, passed by the

3rd respondent/Mandal Revenue Officer under Sec.3 (1) of A.P.Assigned Lands (Prohibition of Transfers) Act, 1977, the petitioners preferred an appeal before the

2nd respondent/Revenue Divisional Officer. Since the

2nd respondent/Revenue Divisional Officer did not grant stay, this writ petition is filed seeking stay of further proceedings in pursuance of the order of the

3rd respondent/Mandal Revenue Officer, dated 19.09.2004.

In my considered opinion, the petitioners are not entitled to any relief in this writ petition. However, the appellate authority i.e.

2nd respondent/Revenue Divisional Officer, Gudur, shall dispose of the appeal filed by the petitioners on merits, as expeditiously as possible, at any rate, before the end of February, 2005.

Accordingly, the Writ Petition is disposed of. No order as to costs.

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C.Y.SOMAYAJULU,J

Dated: 15.02.2005

Note:

Issue CC by today

B/o

Dsr

To:

1. District Collector, Nellore, Nellore District
2. Revenue Divisional Officer, Gudur, Nellore District
3. Mandal Revenue Officer, Venkatagiri Mandal,

Venkatagiri, Nellore District

4. Two CCs to the Government Pleader for Revenue,

High Court Buildings, Hyderabad,(OUT)

5. Two CD copies.

Dsr/CM